

201 KAR 2:080. Prescription substitution.

RELATES TO: KRS Chapter 315

STATUTORY AUTHORITY: KRS 315.191(2)

NECESSITY, FUNCTION, AND CONFORMITY: Although KRS 217.819 permits the exercise of product selection when there is no prohibition for such selection listed in the nonequivalent drug product formulary, this administrative regulation protects the public and practitioners in assuming that the medications and drugs dispensed are acceptable.

Section 1. Except as provided in KRS 217.822, whenever any registered pharmacist is requested to sell, furnish, or compound any drug, medicine, chemical or pharmaceutical preparation by means of a prescription and substitutes or causes to be substituted therefore, any other drug, medicine, chemical, or pharmaceutical preparation without specific or express permission, approval, or consent of the prescriber, the board may find such person guilty of engaging in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public, and may revoke or suspend his license as prescribed by law.

Section 2. If approval or consent is obtained from the prescriber, the brand name or the name of the manufacturer of the drug, medicine, chemical or pharmaceutical preparation dispensed must be stated on the prescription by the pharmacist. (Rx-8; 1 Ky.R. 147; eff. 12-11-74; Am. 16 Ky.R. 796; eff. 1-12-90.)